

October 19, 2009

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

DANNY MANZANARES,

Plaintiff - Appellant,

v.

SEAN HIGDON, an Officer of the
Albuquerque Police Department, in his
individual capacity,

Defendant - Appellee.

No. 07-2156
(D.C. No. 1:05-CV-00095-WJ/LFG)

ORDER

Before **TACHA, EBEL**, and **LUCERO**, Circuit Judges.

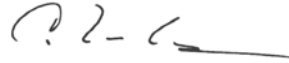
This matter is before the court on “Appellant’s Motion for Attorney’s Fees on Appeal.” No response to the motion has been filed.

In an opinion filed on August 10, 2009, this court reversed and remanded for the district court to enter judgment as a matter of law in favor of appellant Manzanares on both of his substantive claims, and for a new trial on damages. No petition for rehearing was filed.

The motion for attorney fees is granted. We remand to the district court for

a determination of a reasonable amount of attorney fees to be awarded for this appeal, pursuant to 42 U.S.C. § 1988.

Entered for the Court,
ELISABETH SHUMAKER, Clerk of Court



by:

Christine Van Coney
Counsel to the Clerk